

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the matter of)	
)	Inclusive of
AMENDMENT OF PART 97 OF THE)	RM-10867
COMMISSION'S RULES GOVERNING)	RM-10868
THE AMATEUR RADIO SERVICE)	RM-10869
)	RM-10870
)	

To: The Commission

Comments by John D. Hays, Amateur Extra Class Operator and licensee for station K7VE

INTRODUCTION

I was first licensed in 1973 as a Novice Class Operator with the station license of WN7WHV and have been continuously licensed, except for a brief period in the mid-1970s, since that time. I have tested for and held all five classes of license during that period, namely; Novice, Technician, General, Advanced, and Amateur Extra. I have also held an unrestricted Australian license, while visiting and operating in that country. I am and have been the trustee for a few club station licenses. I have also been licensed in the broadcast service (3rd Class Radio Telephone Operator with endorsement), and held a Citizen's Band license when that service was still licensed. I have been at various times licensed as a member of both Navy and Air Force Military Affiliate Radio Service (MARS). I have been an officer of several radio societies and clubs at local, regional, and national levels including service as a Vice President of Amateur Television of North America for nearly five years. I was an early experimenter in digital networking over amateur radio, also known as packet radio, including long distance TCP/IP over AX.25 and was instrumental in the formation of three separate regional packet radio societies in New England, the Pacific Northwest, and Utah. I worked on a design team in the Amateur Satellite Service. I have operated on all amateur allocations from 160-meters to 13-cm, except the newly allocated 60-meter band, and a wide variety of modes. I am a Volunteer Examiner in the Amateur Radio Service, have taught licensing classes, and am a volunteer, sometimes called an "elmer", to assist other amateurs in various aspects of the hobby. I have been active in emergency relief communications and was a volunteer member of the Utah Olympic Security Command during the 2002 Olympics in Salt Lake City. Professionally, I am a technology expert in Information Systems. Needless to say, I have found myself personally enriched by this pursuit we call Amateur Radio and continue to discover new and invigorating aspects every year.

COMMENTS

The various petitions RM-10867 through RM-10870 boil down to three fundamental issues in the Amateur Radio Service:

1. Morse code proficiency as a test and measurement for licensing.
2. Further simplification and organization of the classes of operator licenses.
3. The privileges and distinction of those classes of licenses.

Here are my thoughts and comments on each of these issues:

Morse Code Proficiency

In my amateur radio experience, I was required to pass various proficiency tests to achieve the various classes of licenses offered, including 5 WPM, 13 WPM, and 20 WPM examinations. Morse code was not easy for me, but I desired the other privileges afforded by the licensing structure so I persisted at each level. Sitting approximately 10 times over several years, in front of the FCC to pass my 13 WPM exam, and at least twice in front of VE examiners for my 20 WPM, I finally accomplished each exam. (The final, in large part, because I wanted to be a VE with the authority to administer all classes of exams.) These were my goals, and I achieved them.

Did they make a better amateur or give me a love for morse code? No, though I sometimes use the mode and it is great for a quick station identification.

Have I been in an emergency situation where morse code was the means by which the emergency was resolved? No, but recently was able to make a contact with a phone station who could not copy my voice transmission but copied my CW.

However, in the final analysis it is only a means to communication and in today's communications environment, often a fond remnant of the past. This is why the former consumers of the technology, the military, maritime service, etc. have largely abandoned it and why it was removed from the international agreements in 2003.

The old argument that it is the one means of communication when all else fails has been superseded by modern weak signal, digital signal processing, technology which can reach below the threshold of the human ear and brain to decipher intelligence from the background noise. The argument that it is the simplest form of digital communication and can be generated and received by the most modest of equipment has some merit, but does that make it something than it is universally understood? I say no and for this reason find the petitions contained in RM-10868 and RM-10869 lacking and would ask the commission to deny their requests for more stringent morse code requirements.

Finally, to the argument that CW proficiency examinations are a barrier to ham radio becoming an undisciplined service, I say the way to a disciplined and useful service is through acceptance of all licensees, regardless of their specific license, and to provide a supportive, instructive, and welcoming hobby. We are experiencing a monthly loss of licensees who took the effort to pass their license exams 10 years ago, but never got on the air because they never found the fraternity that should be Amateur Radio.

Morse code is part of the history of communications and there will probably always be those who find pleasure in the knowledge and skill of Morse Code. It should survive out of a love for and the utility of the mode and not because it is a required examination element.

The ARRL Proposal to retain CW proficiency for the Amateur Extra license is, I believe a token for the benefit of those who are emotionally attached to the mode as being central to the hobby. I can live with that concession, but find it less than compelling.

Further simplification and organization of the classes of operator licenses

Both RM-10867 and RM-10870 propose simplification of the license structure by eliminating

classes of operator which can longer be awarded through testing, e.g. Novice, Technician Plus, and Advanced and folding or grandfathering those classes into a new set of three licenses, with slightly differing details. I wholeheartedly support this move.

These proposals offer an entry level license with limited and specific privileges in HF, VHF, and UHF bands with a variety of modes and a modest examination. I believe this is a good strategy as it creates a desirable and utilitarian entry into the hobby. For many, it will be satisfactory and for others a vision of the possibilities afforded by improvement of skills and knowledge leading to upgraded licenses and privileges.

I would ask the commission to consider if two additional steps, General and Amateur Extra, are required or if a new "Unrestricted" class would suffice? I see merit in the Amateur Extra, third tier, if the standard is high. I personally would like to see a community service, instruction ("elmer"), or other requirement placed on this class, more so than the ARRL's CW examination proposal, but leave this to the wisdom of the commission.

The privileges and distinction of those classes of licenses

I favor the term "Communicator" for the new entry license to differentiate it from the historical Novice license.

As to the allocations and modes offered to the various classes. I believe RM-10867 and RM-10870 provide good background for this decision. I would only ask that the Commission assure sufficient modes and allocations are afforded the new entry license to make it both desirable and utilitarian. I would also recommend that allocations be focused more on the bandwidth of the mode rather than specific mode designations to allow for advancement of the art through experimentation and investigation.

Respectfully Submitted,

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